

**Planning Commission Meeting
January 4, 2023 - 7:00 PM
City Hall Council Chambers
AGENDA**

I. PUBLIC PARTICIPATION

A. Public Participation Information

The City of Auburn Planning Commission Meeting scheduled for Wednesday, January 4, 2023, at 7:00 p.m. will be held in person and virtually. To attend the meeting virtually, please click one of the following links below, or call into the meeting at the phone number listed below:

Join Zoom Meeting

<https://us06web.zoom.us/j/81725573807>

Meeting ID: 817 2557 3807

One tap mobile

+12532158782,,81725573807# US (Tacoma)

+12532050468,,81725573807# US

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

888 475 4499 US Toll-free

877 853 5257 US Toll-free

Meeting ID: 817 2557 3807

Find your local number: <https://us06web.zoom.us/u/km9G4PncC>

II. CALL TO ORDER

A. ROLL CALL/ESTABLISHMENT OF QUORUM

B. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT

Comment from the audience on any proposal for action by the Commission. If the comment is related to an action subsequently listed here as a public hearing, the comment should be provided at the time of the public hearing.

IV. APPROVAL OF MINUTES

A. December 6, 2022 Minutes from the Regular Planning Commission Meeting

V. OTHER BUSINESS

A. Housing Action Plan Implementation Project Status Update (Steiner)

City Staff and Tyler Bump from ECONorthwest consultant team will provide a status update on the project and present draft results for consideration.

B. Annual Review of Planning Commission Rules of Procedure (Dixon)

See attached Memorandum

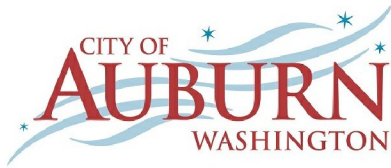
C. Annual Election of Officers (Dixon)

VI. COMMUNITY DEVELOPMENT REPORT

VII. ADJOURNMENT

The City of Auburn Planning Commission is a seven member advisory body that provides recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the city council which must ultimately make the final decision.



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 6, 2022 Minutes from the Regular Planning
Commission Meeting

Date:

December 20, 2022

Department:

Community Development

Attachments:

[December 6, 2022 P.C. Meeting Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

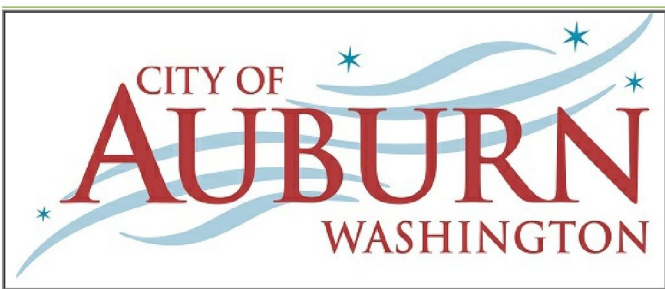
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Dixon

Meeting Date: January 4, 2023

Item Number:

	Planning Commission Meeting December 6, 2022 - 7:00 PM City Hall Council Chambers MINUTES
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I. PUBLIC PARTICIPATION

A. Public Participation Information

The City of Auburn Planning Commission Meeting was held in person and virtually.

II. CALL TO ORDER

Chair Roland called the meeting to order at 7:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street.

A. ROLL CALL/ESTABLISHMENT OF QUORUM

Commissioners present: Chair Judi Roland, Hanan Amer, and Kent Sprague, Dimitri Moutzouris attended virtually. Vice Chair Stephens, Commissioner Mason, and Commissioner Berry were excused.

Staff members present: Senior Planner Josh Steiner, Planning Services Manager Jeff Dixon, Senior City Staff Attorney Doug Ruth, and Deputy City Clerk Hannah Scholl.

B. PLEDGE OF ALLEGIANCE

Chair Roland led those in attendance in the Pledge of Allegiance.

III. PUBLIC COMMENT

There was no public comment.

Comment from the audience on any proposal for action by the Commission. If the comment is related to an action subsequently listed here as a public hearing, the comment should be provided at the time of the public hearing.

IV. APPROVAL OF MINUTES

A. November 8, 2022 Minutes from the Regular Planning Commission Meeting

Commissioner Sprague moved and Commissioner Amer seconded to approve the November 8, 2022, minutes.

MOTION CARRIED UNANIMOUSLY. 4-0

V. OTHER BUSINESS

A. Auburn Downtown Plan Update (Steiner)

Consultants and Staff will provide an update on the project, including draft land use scenarios under consideration.

Planner Josh Steiner introduced Katy Saunders Project Manager with MAKERS Architecture. She provided the Commission with an update of the Auburn Downtown Plan including the downtown study areas, engagement feedback and upcoming engagement events, existing condition findings, the plan concept, EIS alternatives, preliminary proposed zone updates, land use and economic development goals and objectives, transportation goals and objectives, urban design and community livability goals and objectives.

The Commission discussed multimodal access, the growth boundaries, residential areas, business growth, parking minimum requirements, transportation studies, Sound Transit parking garage, shuttle systems and potential routes, bicycles, downtown events, Downtown Auburn Cooperative, downtown population, diversity in Auburn, and the Public Hearing process.

VI. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager Jeff Dixon provided the Commission with an update on Clarion Hotel including Compass Housing Alliance, permits, intended opening date, number of occupants, and behavior protocols; an update of the Lea Hill/Bridges Annexation including the Home Owner's Association voting in favor of de-annexation from Kent, and the requirements for action. The City is fully staffed in the Planning Services section, and Commissioner Mason will not seek reappointment for the new year.

The next meeting is scheduled for Wednesday January 4th, 2023.

The Commission discussed the screening process for the Clarion Hotel.

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:40 p.m.

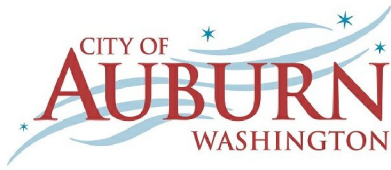
APPROVED this ____ day of January, 2023.

**_____
JUDI ROLAND, CHAIR Hannah Scholl, Deputy City Clerk**

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recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the city council which must ultimately make the final decision.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Housing Action Plan Implementation Project Status Update
(Steiner)

Date:

December 20, 2022

Department:

Community Development

Attachments:

[Memorandum: Auburn Housing Action Plan
Implementation Project Update](#)
[ECONorthwest Presentation](#)

Budget Impact:

Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Dixon

Meeting Date: January 4, 2023

Item Number:



Memorandum

To: Judi Roland, Chair, Planning Commission
Phillip Stephens, Vice-Chair, Planning Commission
Planning Commission Members

From: Josh Steiner, Senior Planner, Comm. Dev. Dept.
Jeff Dixon, Planning Services Manager, Comm. Dev. Dept.

Date: December 20, 2023

Re: **Auburn Housing Action Plan Implementation Project Update for the January 4th Meeting**

Background

The city adopted a Housing Action Plan (HAP) in July 2021 which provides preliminary recommendations on strategies to implement the HAP. The City was awarded grant funding from the Washington State Department of Commerce to develop a Housing Action Plan Implementation project that evaluates the feasibility of key HAP strategies and themes that will help the city create dense, mixed-use, and diverse housing stock to accommodate growth over the next 20 years. This process is occurring parallel to the Periodic Comprehensive Plan Update due in 2024, providing information that will be key in updating Housing and Land Use Elements.

Preliminary recommendations in the Housing Action Plan address increasing residential building capacity via a variety of methods including encouraging market rate development in downtown, changing city code to allow for middle housing options such as duplexes and triplexes in single family neighborhoods, increasing density in R-5 and R-7 zones, and revising existing R-16 zoning to R-18 to right size development for this zoning type in the city. It is anticipated that increasing residential density downtown and encouraging missing middle housing in select areas of the city will help address the gap between expected housing capacity and demand between 2020 and 2040, as described in the HAP. Additionally, increasing residential density in downtown and in other areas of city by supporting middle housing development will allow for more options to accommodate required regional and county housing targets by 2044.

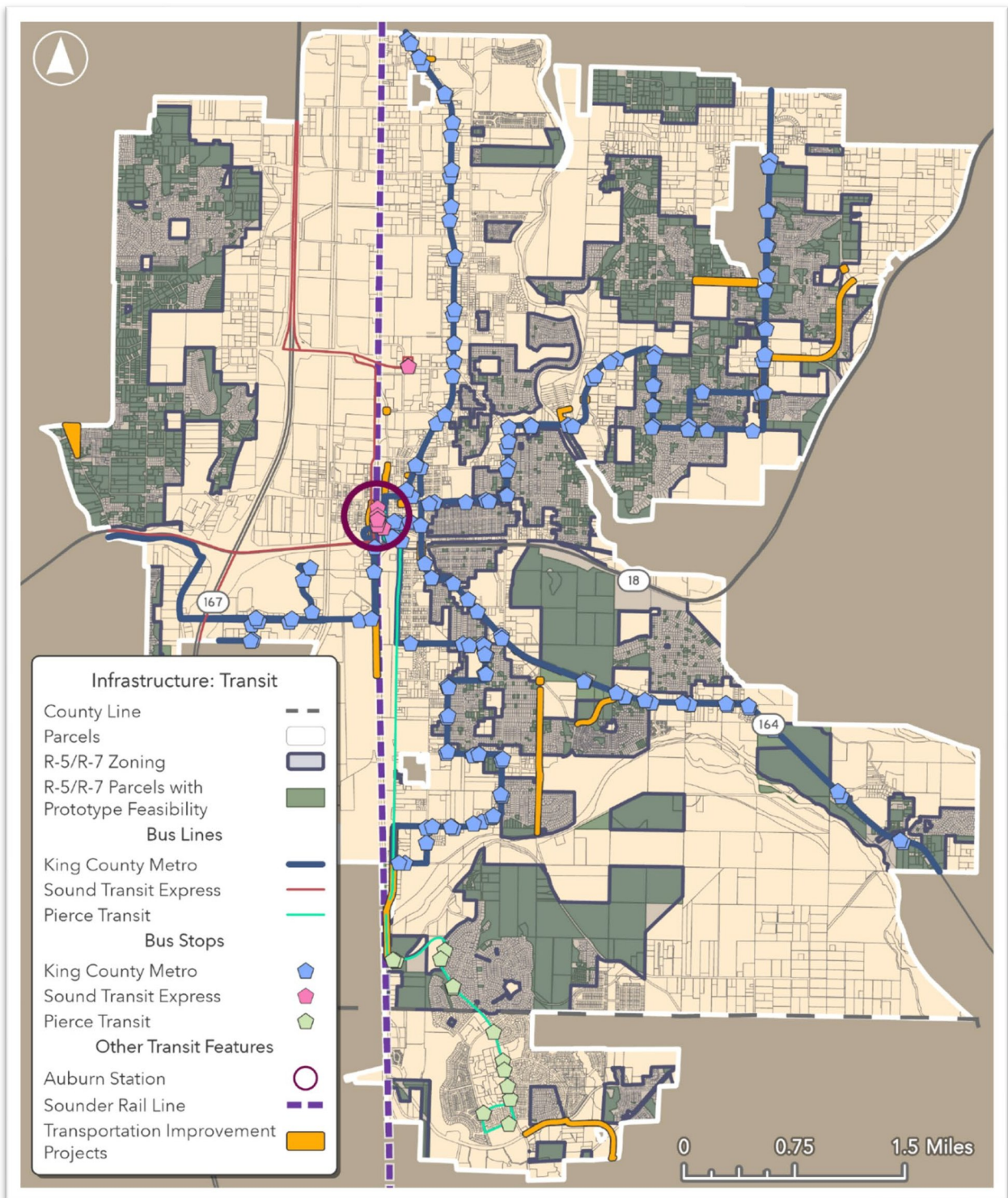
Staff last provided an overview of the project during the project kick-off phase to report on initial project considerations at the June 22, 2022 Planning Commission meeting. Since that time, the project team consisting of both city staff and consultant support, have moved forward with developing draft existing conditions analysis conducting feasibility analysis for where middle housing may be most appropriate in R-5 and R-7 zones throughout the city. The findings are being compiled into a final draft document expected to be complete in early 2023.

Briefing

At the January 4, 2023, Planning Commission regular meeting, city staff and representatives from the consultant team lead by Tyler Bump of ECONorthwest will provide a briefing on the

current status of the project, key considerations and assumptions driving the process, preliminary recommendations, and the next steps.

Feel free to contact Josh Steiner, Senior Planner, at jsteiner@auburnwa.gov or 253-804-5064, with any questions.





Housing Action Plan Implementation

Development Feasibility Results & Recommendations

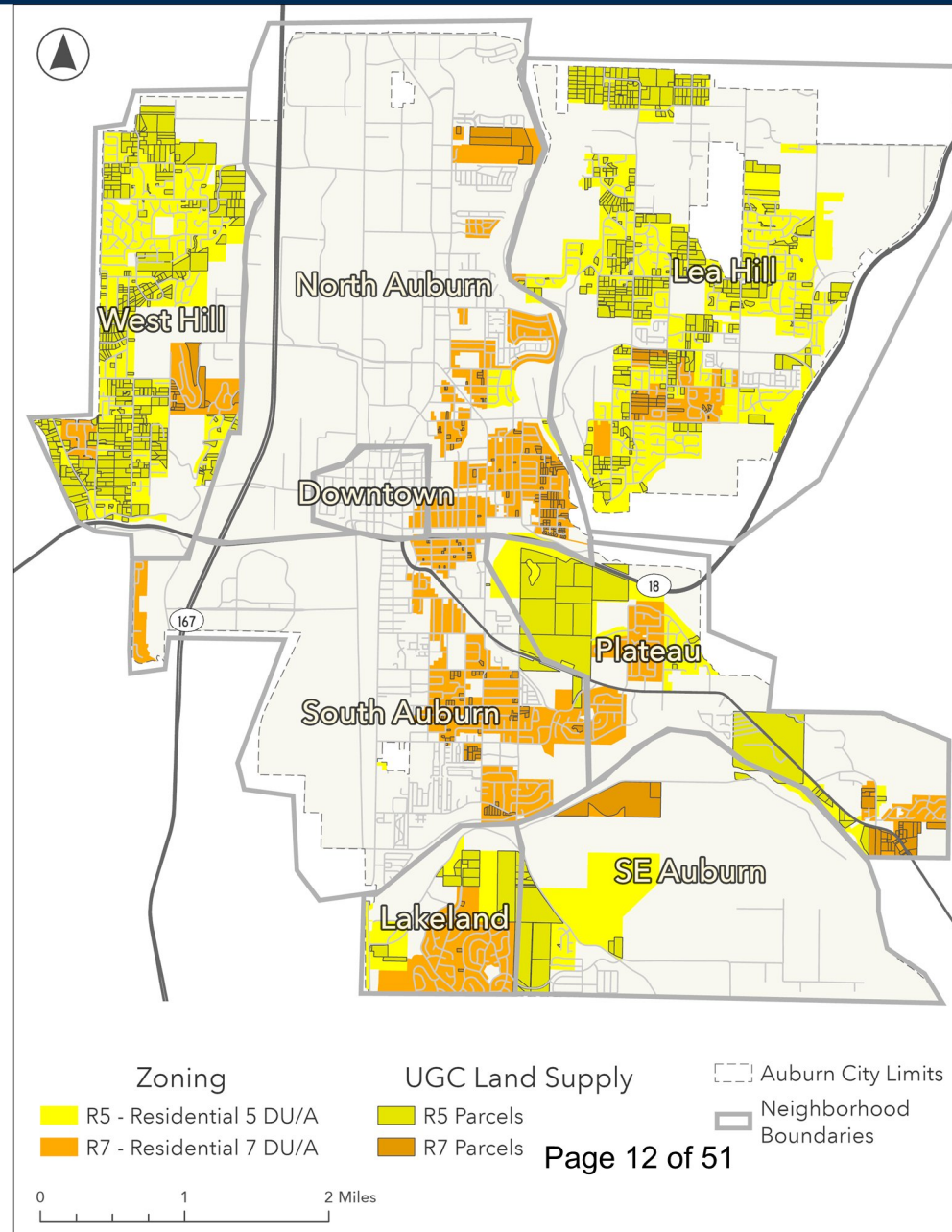
Housing Action Plan Implementation

- HB 1923 WA Department of Commerce Grant
 - ✓ 2021 Auburn Housing Action Plan
 - ✓ 2022 Housing Action Plan Implementation

Figure 32. Summary of Recommended Actions and Implementation Considerations

Objective	#	Recommended Action	Preliminary Recommendation Type	Sub-Area of Citywide?	Near-term or Long-Term	Impact to City Resources
Encourage Market Rate Development Downtown	A1	Reduce Parking Requirements to Support Development in Downtown Auburn		Downtown	Long-Term	Moderate staff time
	A2	Offer a Density Bonus to Support Denser Development and Mixed-Income Housing		Downtown	Near-Term	Moderate staff time
	A3	Promote Lot Aggregation in Downtown Auburn		Downtown	Near-Term	Moderate staff time
	A4	Explore Fee Waivers for Targeted Development Types in Downtown Auburn		Downtown	Long-Term	Potential for negative fiscal impact
Encourage Affordable Housing Downtown	B1	Create Policies to Lower the Cost of Affordable Housing Development		Citywide	Near-Term	Moderate staff time and potential lost revenue from permitting
	B2	Consider a Voluntary Inclusionary Housing Program Paired with a Density Bonus		Downtown	Long-Term	Moderate staff time to create and manage a program
	B3	Reduce Parking Requirements for Micro Units		Downtown	Long-Term	Moderate staff time
Encourage Middle Housing Options in R-5 and R-7 Zones	C1	Allow Duplexes and Triplexes in Single-Family Neighborhoods		Middle Housing Study Area and Citywide as Appropriate	Near-Term	Moderate staff time
	C2	Increase Density and Reduce Minimum Lot Size Per Unit in R-5 and R-7 Zones		Middle Housing Study Area and Citywide as Appropriate	Near-Term	Moderate staff time

Map of R-5 and R-7



Development Feasibility

- Proforma to compare development feasibility across multiple prototypes
 - an estimate of what a developer would be able to pay for land given:



Why do we use the RLV approach?

1. **Does not rely on land prices** as an input. Rather, observed land prices can be compared with the model outputs to help calibrate the model and ensure it reflects reality.
2. **Assesses impacts of code changes** and other policies because these policies principally affect land value, especially in the short run.

RLV analyses should be thought of as a strong *indicator* of the relative likelihood of development. RLV as an output gives us a “land budget” for feasible development.

Data Sources and Pro Forma Elements

Proforma Elements

Building Program

- unit size, parking ratios, building heights

Operation

- sale price, rent, operating costs

Development Cost

- hard costs (labor & materials)
- soft costs (permit fees & interest)

Valuation Metrics

- cap rates, debt service coverage ratios, and yield on cost thresholds

Next Steps

- Compare RLV results to land values of existing parcels, from County assessor data for land within the R-5 and R-7 zones
- **Higher RLV** relative to existing land prices indicates **better development feasibility**

Examples of Development Prototypes



Townhome

Duplex



Examples of Development Prototypes



Triplex

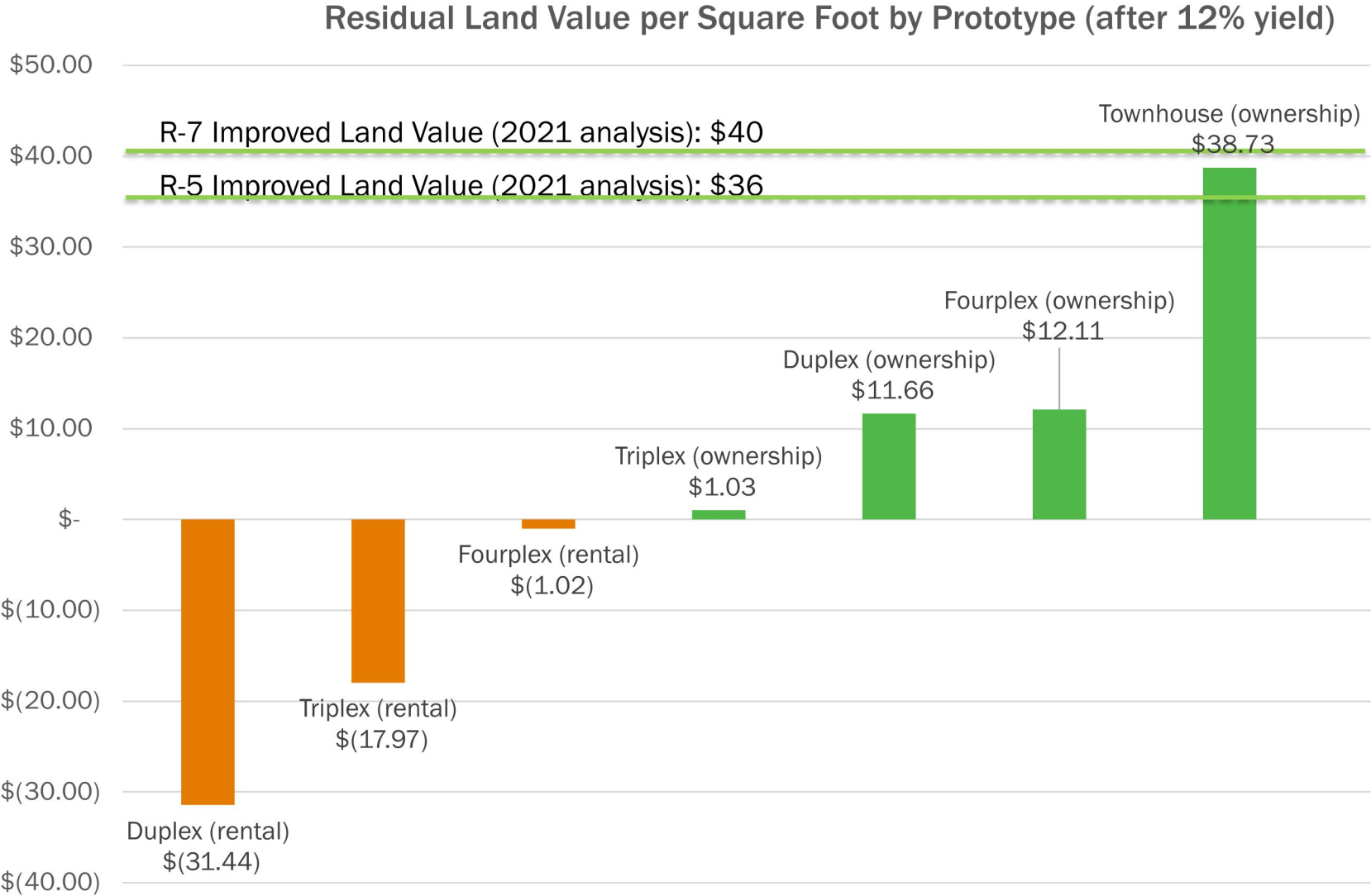


Fourplex

Physical Summary of Prototypes (with sixplex)

	Lot Size (SF)	Gross Building Area (SF)	Unit Size	Floors	Units	Bedrooms per Unit	Parking Stalls per Unit
Townhouse	11,000	9,765	1,643	3	6	3	1-Car Garage
Duplex	5,000	3,090	1,540	2	2	3	1-Car Garage
Triplex	7,500	3,675	1,229	2	3	2	1 Onsite Surface
Fourplex	7,500	4,200	875	2	4	1	1 Onsite Surface

Note: Ownership and rental prototypes share the same physical attributes



Parcel Summary for All Prototypes

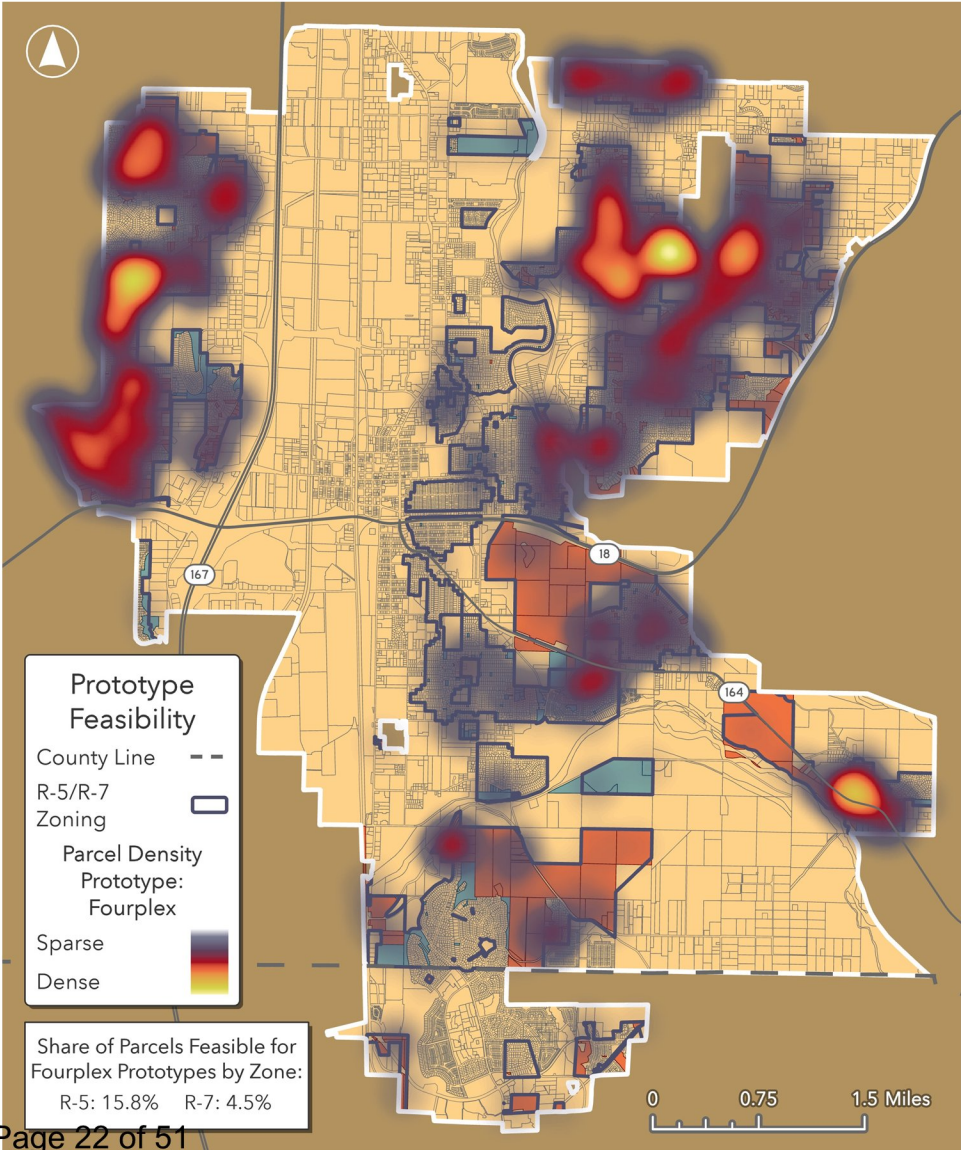
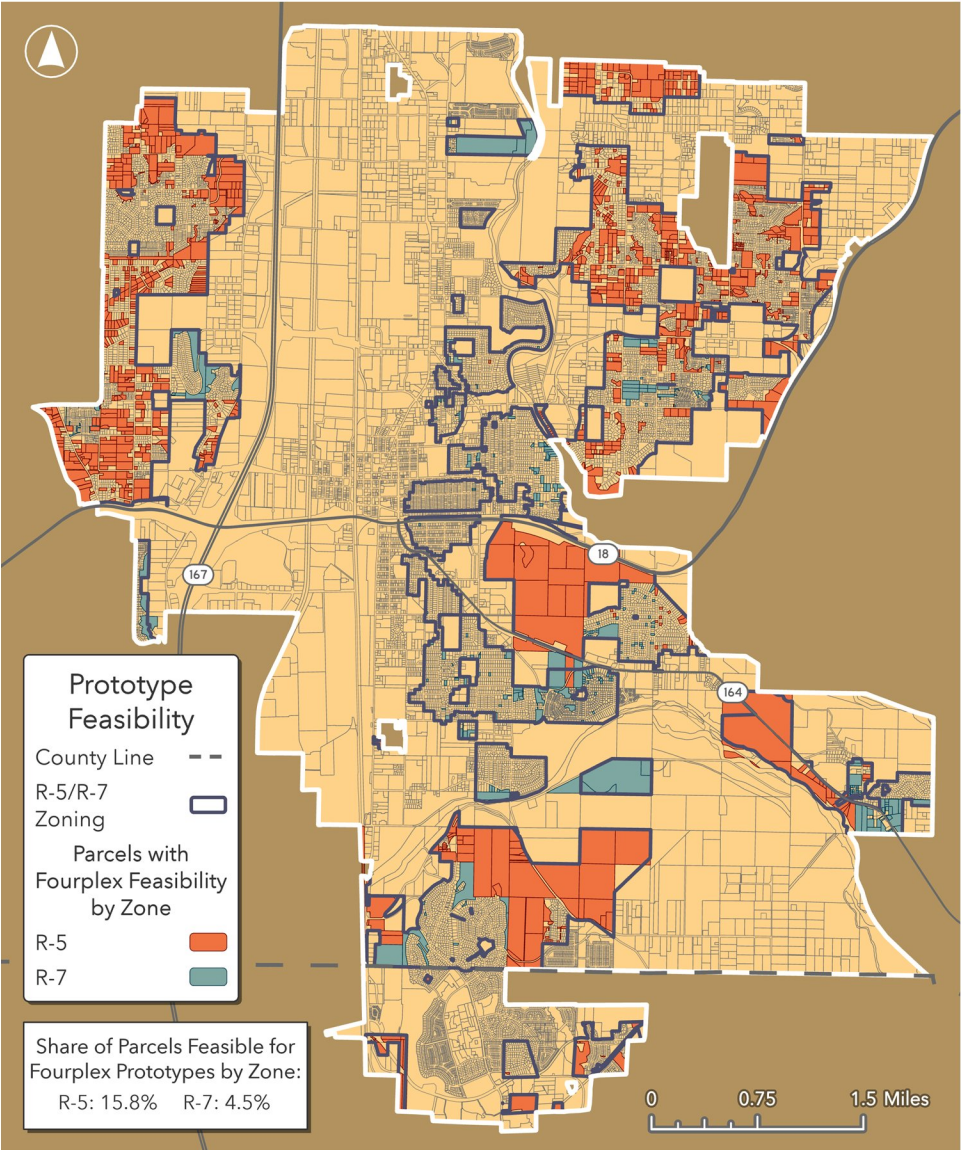
Feasible Parcel Counts by Zone

	R-5	R-7	R-5 & R-7
Townhouse	1,583	517	2,100
Duplex	972	271	1,243
Triplex	369	176	545
Fourplex	1,003	281	1,284

Share of Feasible Parcels by Zone

	R-5	R-7	R-5 & R-7
Townhouse	25.0%	8.3%	16.7%
Duplex	15.3%	4.4%	9.9%
Triplex	5.8%	2.8%	4.3%
Fourplex	15.8%	4.5%	10.2%

Mapping Feasibility



Development Feasibility Summary

- ✓ No rental prototypes were feasible
- ✓ All ownership prototypes were feasible in that they showed a positive RLV
- ✓ In comparing RLV to R-5 and R-7 average improved land values, **townhomes were the most feasible** followed by the fourplex
- ✓ Feasibility outcomes indicate that middle housing allowances will increase supply and opportunities for lower cost ownership housing.

Preliminary Recommendations

- ✓ Definitions
- ✓ Permitted Uses
- ✓ Density
- ✓ Parking
- ✓ Dimensional Standards
- ✓ Location
- ✓ Other Considerations



Current Standards

- Min Lot Size: 4,500 (R-5) and 4,300 (R-7)
- Min Lot Width: 50 ft (R-5) and 40 ft (R-7)
- Min Rear Setback: 20 ft for main structure

Recommendations:

- Min Lot Size: reduce to 3000 square feet in R-5 and 2500 in R-7
- Min Lot Width: reduce to 20 ft
- Min Rear Setback: reduce to 10 ft minimum

Current Standards:

- **R-5** zone is currently intended to achieve **4-5 dwelling units per net acre** for single family development
- **R-7** zone is intended to achieve **5-7 du/ac**

Recommendations:

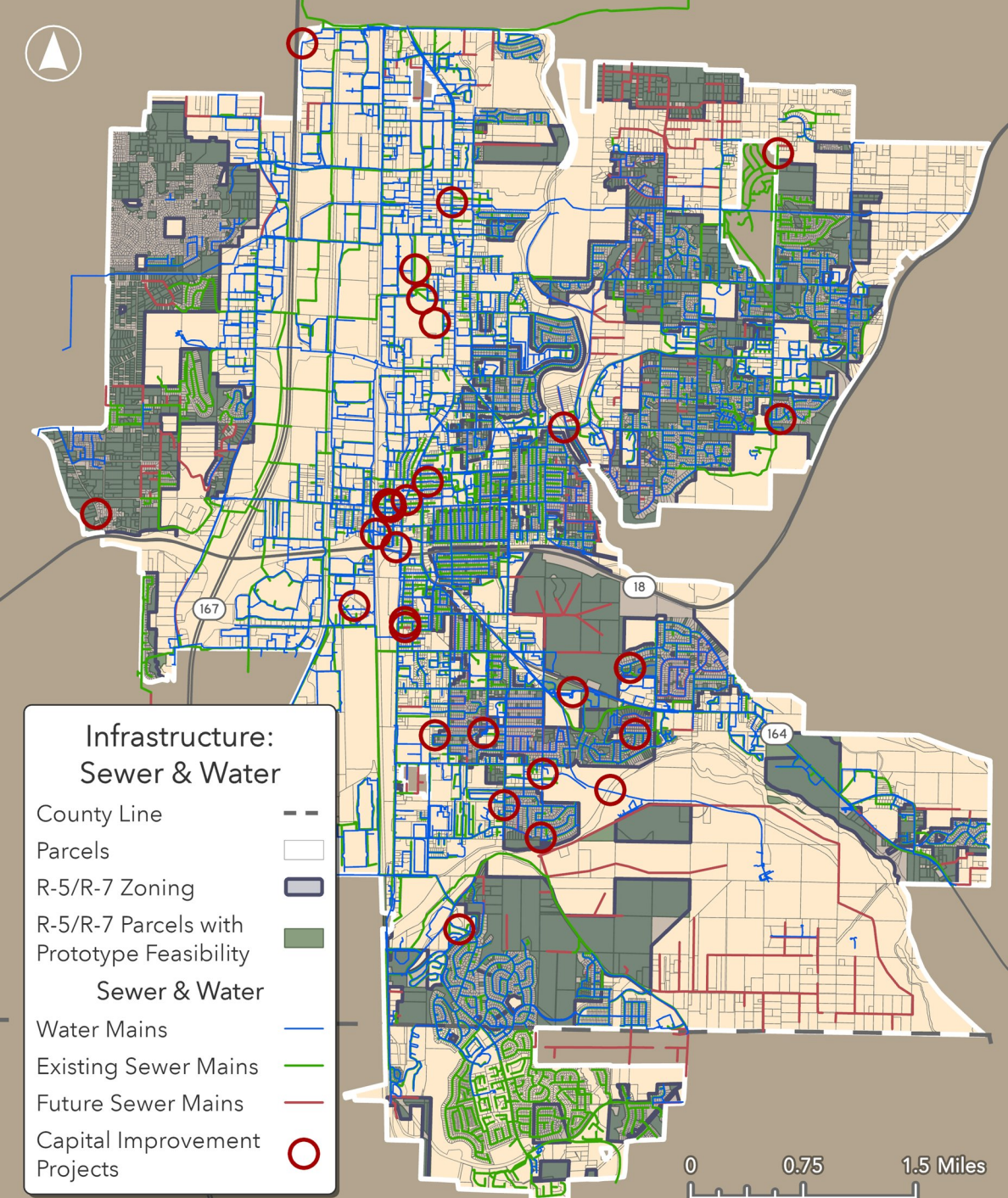
- Increase maximum allowed densities for middle housing types to **20 du/ac in the R-5 zone** and **28 du/ac in the R-7**

Current Standards:

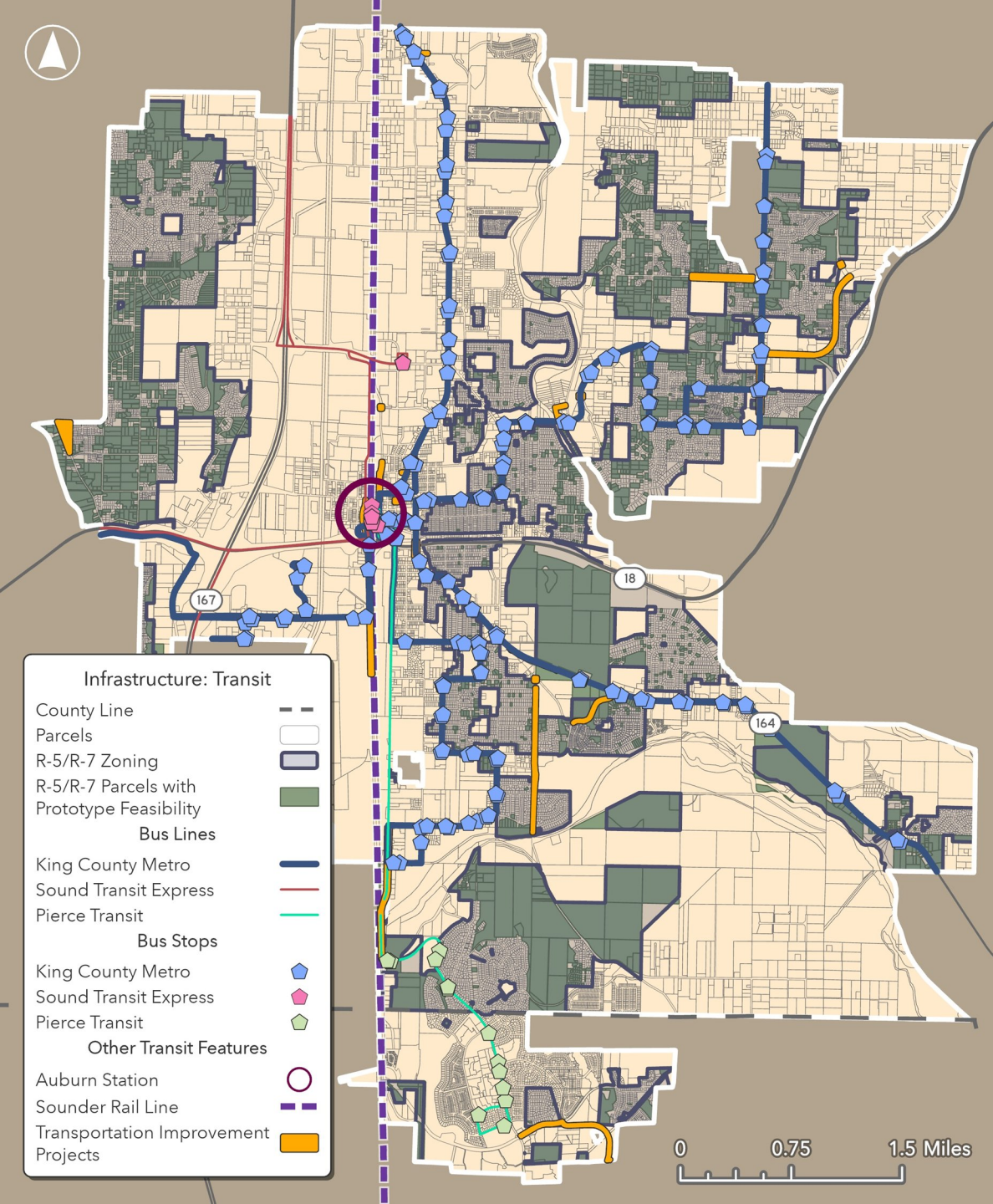
- 2 parking stalls per unit, except for 1-2 bedroom multifamily units are only required 1.5 stalls per unit
- reducing the parking ratio allows a developer to increase the value of a property, by using the space previously dedicated to parking to build and rent more units on a site

Recommendations:

- Amend Parking Minimums to accommodate middle housing types to 1 space per unit
- May consider scaling by unit size closer to downtown
- Consider allowing sites to meet parking minimums through on street parking



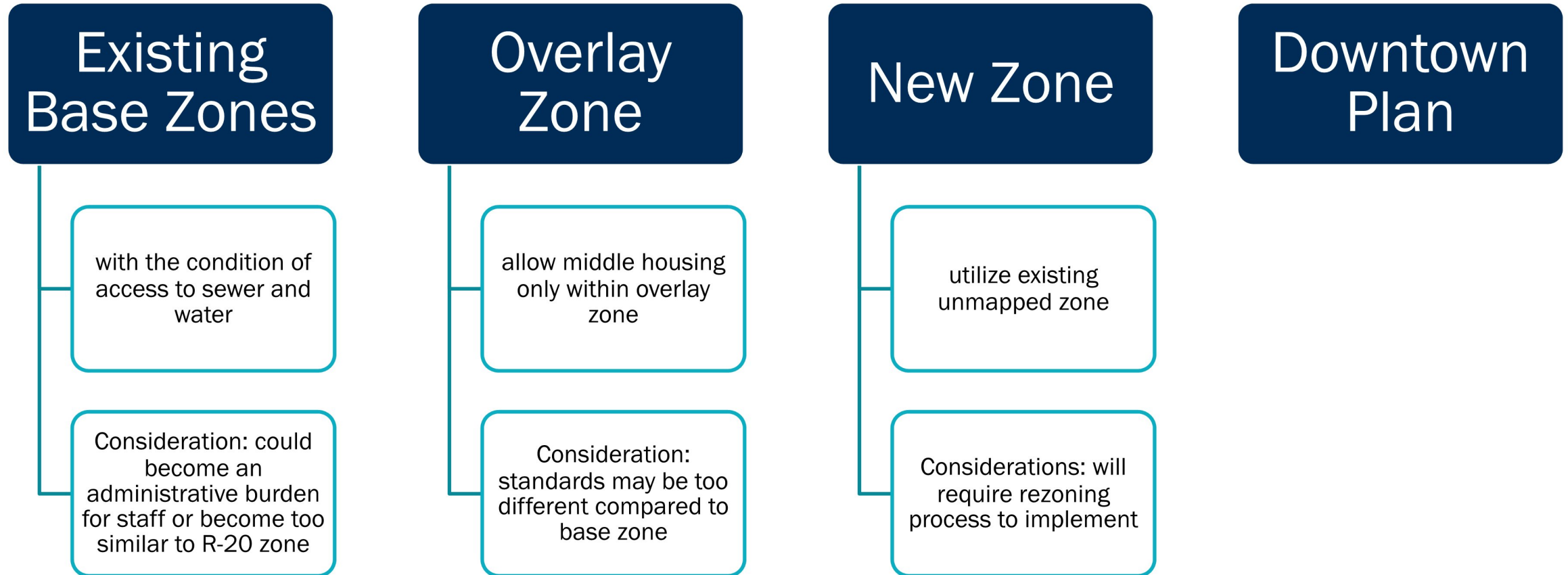
- No major utility gaps
- Future Investments:
 - Sewer mains planned for areas where large sites exist



- Transit Gaps
- Important consideration: Access to transit is not a disqualifier for middle housing

- ✓ Make reductions to minimum lot size, width, rear setbacks and parking standards
- ✓ Increase density allowances
- ✓ Consider how to allow middle housing types throughout both the R-5 and R-7 zones, as no major infrastructure barriers were identified

Next Steps: Implementation Options and Considerations



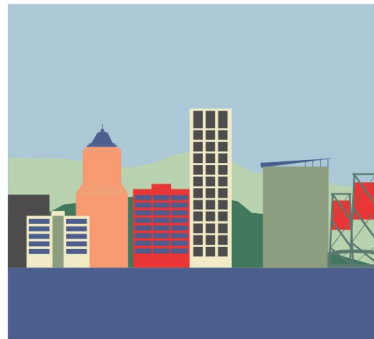
- ✓ How should parking standards relate to transit options?
- ✓ How do new standards for missing middle interact with existing multifamily standards?
- ✓ How would existing architectural and site design standards apply to middle housing types?

ECONorthwest

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Los Angeles



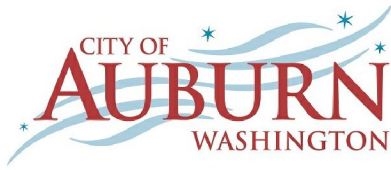
Portland



Seattle



Boise



AGENDA BILL APPROVAL FORM

Agenda Subject:

Annual Review of Planning Commission Rules of Procedure
(Dixon)

Date:

December 20, 2022

Department:

Community Development

Attachments:

[Planning Commission Agenda Topics](#)

[Memorandum](#)

[Planning Commission Rules of Procedure as
adopted May 3, 2022.](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

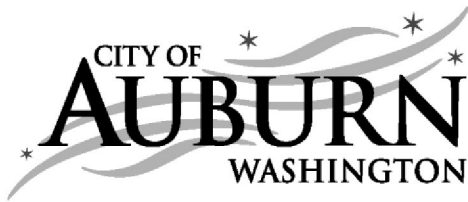
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Dixon

Meeting Date: January 4, 2023

Item Number:



MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Phillip Stephens, Vice-Chair Planning
Commission
Planning Commission Members

FROM: Jeff Dixon, Planning Services Manager

DATE: December 16, 2022

RE: For Wednesday, January 4, 2023, Planning Commission Agenda Topics:

- Annual Review of PC Rules of Procedure
- Election of Officers

Distribution of Rules of Procedure

The Planning Commission's (PC) Rules of Procedure were last amended on May 3, 2022. Annually, the Planning Commission reviews the Planning Commission Rules of Procedure document as a content reminder and to consider any modifications.

Election of Officers for 2023 – Section III

Pursuant to the Planning Commission's adopted Rules of Procedure (provided as Attachment A), Subsection III.2 states that the Planning Commission shall elect officers at the first regular meeting of each calendar year, or as soon thereafter, as possible. Officers should be elected for year 2023. The results of the election will take effect at the following meeting so that new appointees are prepared to serve in their new capacity. The term of office of each officer shall run until the subsequent election.

Review for Modifications to PC Rules of Procedure

Transmitted is a copy of the Planning Commission's (PC) Rules of Procedure that were last amended on May 3, 2022. Staff requests that the Commissioners please review the document to allow staff and the Planning Commission to discuss at the January 4, 2023 meeting if any revisions are appropriate.

Attachment A – Planning Commission Rules of Procedure as adopted May 3, 2022.

CITY OF AUBURN

PLANNING COMMISSION

RULES OF PROCEDURE

ADOPTED NOVEMBER, 1983
REVISED NOVEMBER, 1988
UPDATED APRIL, 2000
REVISED FEBRUARY, 2007
REVISED APRIL 2, 2013
REVISED MARCH 8, 2016
REVISED May 2, 2017
REVISED February 6, 2018
REVISED, 2018
REVISED June 5, 2018
REVISED March 5, 2019
REVISED March 3, 2020
REVISED June 8, 2021
REVISED May 3, 2022

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PLANNING COMMISSION - RULES OF PROCEDURE

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CITY OF AUBURN PLANNING COMMISSION

RULES OF PROCEDURE

We, the members of the Planning Commission of the City of Auburn, do hereby adopt, publish, and declare the following Rules of Procedure:

I. NAME:

The official name of the City of Auburn advisory planning agency shall be "The City of Auburn Planning Commission." The membership and terms of office of the members of the Planning Commission shall be as provided in Chapter 2.45 of the Auburn City Code (ACC).

II. MEETINGS:

1. All meetings will be held at the Auburn City Hall, Auburn, Washington, unless otherwise directed by the Secretary or Chair of the Planning Commission.
2. Regular meetings shall be held on the Tuesday following the first Monday of each month and shall be open to the public. The meeting shall convene at 7:00 P.M. unless otherwise directed by the Secretary or the Chair.
3. If the first Monday of the month is a legal holiday, the regular meeting shall be held on the following Wednesday. If a regular meeting day (Tuesday) falls on a legal holiday or on the November General Election, the Commission will convene on the following Wednesday.
4. Special meetings of the Planning Commission may be called by the Chair. Special meetings of the Planning Commission may also be called by any three members of the Commission. A minimum notice of 24 hours shall be provided for special meetings in accordance with State law.
5. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Secretary or Chair provided at least 24 hours in advance.

6. Except as modified by these Rules of Procedure, Robert's Rules of Order, Newly Revised, most current version, shall govern the conduct of the meetings.
7. Meetings of the Planning Commission shall be conducted in conformity with the requirements of the Washington State Open Public Meetings Act, Chapter 42.30 of the Revised Code of Washington (RCW). Executive sessions can only be held in accordance with the provisions of Section 42.30.110 RCW.
8. The Planning Commission may conduct business in closed session as allowed in conformity with Section 42.30.140 RCW.
9. An agenda shall be prepared in advance of every regular and special meeting of the Planning Commission. Meeting agendas and materials on items on an agenda for a regular meeting shall be provided to members of the Planning Commission not less than five (5) days in advance of the regular meeting. Meeting agendas and materials on items on an agenda for a special meeting shall be provided to members of the Planning Commission as promptly in advance of the meeting as can reasonably be accomplished.

III. ELECTION OF OFFICERS:

1. The officers of the Commission shall consist of a Chair and Vice Chair elected from the appointed members of the Commission and such other officers as the Commission may, by the majority vote, approve and appoint.
2. The election of officers shall take place once each year at the Commission's first regular meeting of each calendar year, or as soon thereafter as possible. The term of office of each officer shall run until the subsequent election.
3. If the Chair or Vice-Chair vacates their position mid-term, the Planning Commission will re-elect officers at their next scheduled meeting and as their first order of business. If it is the Chair position that has been vacated, the Vice-Chair will administer the election proceedings.

IV. CHAIR:

1. The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident of the office. The Chair shall be considered as a member of the Commission and have the full right to have his/her own vote recorded in all deliberations of the Commission.

2. The Chair shall have power to create temporary committees of one or more members. Standing committees of the Commission shall be created at the direction of the Commission and appointed by the Chair. Standing or temporary committees may be charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without the approval at the regular or special meeting of the Commission.
3. The Vice Chair shall in the absence of the Chair, perform all the duties incumbent upon the Chair.
4. In the event of the absence of the Chair and Vice Chair, the senior member of the Commission present shall act as Chair for that meeting or may delegate the responsibility to another member.

V. SECRETARY:

The Community Development Director ("Director"), or his/her appointee, shall act as the Secretary for the Planning Commission and shall keep a record of all meetings of the Commission and its committees. These records shall be retained at the Community Development Department.

All public hearings shall be electronically recorded verbatim and may be transcribed upon request of the Director, City Attorney, the majority of the Commission, or City Council. Transcriptions may be requested by other parties, in which case, the costs of transcription shall be borne by the requesting party.

VI. QUORUM:

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A simple majority vote of the quorum present shall be sufficient to take action on the matters before the Commission; provided that if at any time during the meeting, a quorum is no longer present, the meeting may only continue for the time and duration necessary to fix a time for adjournment, adjourn, recess or take measures to obtain a quorum.

VII. ABSENCE OF MEMBERS:

Participation in Planning Commission responsibilities is essential; not only so that a quorum can be established, but to also ensure that discussions and decision making are as representative of the community as possible. Recurring absence also diminishes a member's ability to vote on matters discussed during prior meetings. It is therefore important for all appointed members to participate to the maximum extent possible. If a member is

unable to participate on a regular basis, it may be appropriate for a member to be replaced. This section of the rules is intended to provide standards that ensure that the regular absence of one member does not become disruptive to, or impede the work of, the full Commission.

In the event of a member being absent for two (2) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Chair may request that the Mayor ask for his or her resignation. To be excused, members must inform the planning commission's secretary in advance if they cannot attend a scheduled meeting.

VIII. ACTIONS DEFINED:

The rules of the Commission impose different requirements according to the type of action before the Commission.

1. Legislative actions are those which affect broad classes of people of the whole City. These actions include adopting, amending, or revising comprehensive, community, or neighborhood plans, or other land use planning documents or the adoption of area wide zoning ordinances or the adoption of a zoning ordinance amendment that is area wide in significance.
2. Quasi-judicial actions of the Planning Commission are those actions which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions include actions that would otherwise be administrative or legislative if applied more widely or city-wide, rather than affecting one or a small number of persons or properties. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of general or area-wide significance.
3. Organizational actions are those actions related to the organization and operation of the Commission. Such actions include adoption of rules, directions to staff, approval of reports, election of officers, etc.

IX. AGENDA:

An agenda shall be prepared for each meeting consisting of the following order of business:

1. CALL TO ORDER
 - a) Roll Call/Establishment of Quorum

- b) Pledge of Allegiance
2. Approval of Minutes
3. Public Hearings
4. Other Business Items as Appropriate
5. Community Development Report
6. Adjournment

Additional items may be added to the agenda by the Planning Commission. The Chair shall have the discretion to amend the order of business.

X. PUBLIC HEARINGS:

The procedure for conducting all public hearings will be as follows:

1. Chair opens the public hearing and establishes whether the proponent, if applicable, is in attendance.
2. Staff Report.
3. Testimony of Proponent, if applicable. Persons addressing the Commission, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes, in addition to filling out the speaker sign in sheet available at the Secretary's desk. All remarks will be addressed to the Commission as a whole. The Secretary shall serve as timekeeper. The Presiding Officer may make exceptions to the time restrictions of persons addressing the Commission when warranted, at the discretion of the Presiding Officer.
4. Chair calls for other testimony, either for or against. Testimony must be called for three times. The Chair shall have the discretion to set time limits on individual public testimony.
5. All testimony and comments by persons addressing the Commission shall be relevant and pertinent to issues before the Commission's public hearing. The Chair shall have the discretion to rule on the relevance of individual public testimony.
6. Questions of staff or persons presenting testimony. Questions by Planning Commissioners that are intended for persons who have provided testimony shall be directed through the Chair. Questions to persons who have provided testimony shall be relevant to the testimony that was provided.
7. Chair closes public hearing.

8. A public hearing may be reopened by motion duly seconded and approved by a majority vote to accept additional testimony.
9. Deliberation.
10. Voting:
 - A. The Chair shall call for a vote.
 - B. Members shall vote by voice, unless a member is unable to do so or a member requests a vote by show of hands. If unable to vote by voice, a member shall make a clear expression of the member's vote through raising a hand, sending an electronic message or electronic signal that can be seen by all other commissioners simultaneous with the vote, or other similarly clear and timely action. Any member, including the Chair, not voting or submitting an unclear vote shall be recorded as voting in the negative.
 - C. The Chair or a Commission member may request that the Secretary take a roll call vote or a vote by show of hands. Also, to ensure an accurate record of voting, the Secretary may take either on his/her own initiative.
 - D. A member may abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness. If any member of the Planning Commission wishes to abstain, or has disclosed a conflict of interest and must abstain from a vote, that member shall so advise the Commission, shall remove and absent himself/herself from the deliberations, and considerations of the matter, and shall have no further participation in the matter. The member should make this determination prior to any discussion or participation on the subject matter or as soon thereafter as the member perceives a need to abstain. A member may confer with the City Attorney to determine if the member is required to abstain.

If the intended abstention can be anticipated in advance, any conference with the City Attorney should occur prior to the meeting at which the subject matter would be coming before the Planning Commission. If that cannot be done, the member should advise the Chair that he/she has an "abstention question" that he/she wants to review with the City Attorney, in which case, the Chair shall call a brief recess for that purpose before proceeding further.

- E. If a tie vote exists, after recording the Chair's vote, the motion fails. However, a motion for denial that fails on a tie vote shall not be considered an approval.
- F. No member may participate in any decision if the member had not reviewed the staff reports and testimony presented at the hearing on the matter. Such member may, however, listen to the recording of the hearing in order to satisfy this requirement.

11. Continuing an Item:

If the Commission wishes to continue a public hearing item, the Chair should open the public hearing, solicit testimony, and request a motion from the Commission to continue the public hearing item to a time, place, and date certain. If any matter is tabled or postponed without establishing a date, time, and place certain, the matter shall be scheduled for a hearing pursuant to Auburn City Code (ACC) Section 18.68.040 before the matter may be considered again.

12. Findings of Fact:

The Commission should adopt findings of fact and conclusions for actions taken involving public hearing items. The findings and conclusions may be approved by any one of the following methods:

- A. The Commission may adopt in whole, in part, or with amendments, the written findings prepared by staff. Motions to approve the staff recommendations shall be deemed to incorporate such findings and conclusions unless otherwise indicated. Such findings and conclusions do not have to be read in order to be deemed a part of the record.
- B. The motion to take action may adopt oral finding of fact statements made by Commission members or staff during the hearing or deliberation.
- C. The motion to take an action may direct that additional written findings and conclusions be developed based on the hearing and deliberation of the Commission.
- D. Findings and conclusions may be approved or amended at any time by the Planning Commission, but all such actions shall be based on the record of the matter at hand.

13. Order of Hearings:

Normally the order of hearings shall be as published in the agenda. However, the Chair in order to avoid unnecessary inconvenience to people wishing to testify, or the late arrival of a proponent, may change the order as may be necessary to facilitate the meeting. If the proponent does not appear at the public hearing, the Planning Commission may continue the public hearing until the next meeting in order to ensure adequate consideration of the proposal. However, in such case the Chair shall take whatever testimony that may be given before accepting a motion to continue pursuant to Section (8).

14. Hearing Record

- A. The “record” for a public hearing shall consist of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted, according to these rules, in connection with the matter being considered. Specifically, the record shall include, but not limited to the following:
- Recordings of a hearing;
 - The hearing agenda, attendance sheet(s), and the Secretary’s minutes;
 - All final staff recorded testimony, presentations, documents, maps, reports, memos, and other staff-produced evidence submitted to the Commission to assist it make a decision or recommendation regarding the agenda topic that is the subject of the hearing subject matter;
 - All submissions to the City by the proponent of the hearing subject matter;
 - The Planning Commission’s findings of fact and formal recommendation, and record of any other action taken by the Commission;
 - Any document publicly cited by the Commission or a Commission member in connection with a decision or recommendation.
- B. Anyone wanting to submit into the record physical evidence (e.g. documents, letters, photographs, maps) shall provide the evidence to the Secretary. Persons may submit evidence by email or other electronic means to:

Planning@auburnwa.gov

or by post mail to:

Secretary of the Planning Commission
Community Development Dept.
City of Auburn

25 West Main Street
Auburn, WA 98001-4998

Additionally, a person may submit evidence into the record at the public hearing. However, Commission members may not be able to consider evidence that is submitted at the time of the hearing. The Secretary will enter the evidence into the record without the necessity of it being read into the record and shall make note in the minutes that the evidence was entered. Persons submitting evidence are discouraged from reading verbatim the evidence at a hearing; they are encouraged rather to summarize such evidence during testimony. It may not be possible to copy evidence submitted at the time of a hearing. All material submitted to the record by whatever means may be subject to disclosure to the public under the Public Records Act, RCW 42.56.

- C. The Planning Commission will accept evidence into the record prior to the date and time of the close of the public hearing. The Commission may close the record at an earlier time upon approval by a majority of the Commission. If the Commission reopens a hearing, the record shall also be reopened to submission of evidence. The Commission may accept evidence into the record after close of a hearing if it has not already adopted a recommendation or decision on the matter being considered and if a majority of the Commission finds that the Commission would substantially benefit from the material being submitted into the record.
- D. All evidence shall be suitable for copying for distribution (e.g. will be legible and on paper not exceeding 8-1/2 x 14 inches in size, except diagrams or drawings) and shall identify at the top of the first page or on a cover sheet the date(s) of the public hearing, the date the evidence was submitted, and the submitter's contact information. All pages shall be consecutively numbered, regardless of the number of different documents submitted. Any submitted material proposing revisions to Auburn City Code shall show the revisions by striking out the text proposed to be removed from the code (e.g. ~~for example~~) and underlining text proposed to be added to the code (e.g. for example).
- E. Submitted evidence must consist of less than 100 pages, unless a majority of the Commission approves accepting submissions exceeding that number. If the Commission does not so approve, a person submitting evidence exceeding this page number shall have 3 business days from the close of the hearing to comply

with the page limit. Evidence submitted by the city is not subject to this page limitation.

- F. All digital or electronic submissions shall be sent to the Commission Secretary as an attachment to an email and may not exceed 20 megabytes. The email shall state the hearing date and topic that the digital documents regard. Submissions larger than 20 megabytes shall be transmitted by a different electronic method pre-arranged with the Secretary. The digital or electronic evidence shall be in portable document format (PDF) and otherwise meet the requirements for physical evidence (e.g. consist of no more than 100 pages, be consecutively paginated, etc.). No audio or video evidence will be accepted without prior consent of a majority of the Commission. Evidence submitted by email shall be considered received at the date and time the email arrives in the Secretary's email box, or the date and time of a delivery receipt if one is requested by the sender. If desired, it is the sender's responsibility to remove metadata from digital submissions.

XI. CONDUCT:

1. These rules are intended to promote an orderly system of holding public meetings and public hearings.
2. Any person who causes a disruption by making personal, impertinent or slanderous remarks or noises, by using speech intended to incite fear of violence, by failing to comply with the allotted time established for the individual speaker's public comment, by yelling or screaming in a manner that prevents the Commission from conducting the meeting, or by other disruptive conduct while addressing the Commission at a public hearing may be barred from further participation by the Presiding Officer, unless permission to continue is granted by a majority vote of the Commission.
3. No comments shall be made from any other location other than the podium, lectern or table set up for people to address the Commission at a public hearing, unless approved in advance by the Chair, and anyone making irrelevant, distracting, or offensive comments or noises that are disruptive may be subject to removal from the meeting.
4. Demonstrations, disruptive applause, other disruptive behavior, or audience interruption during anyone's presentation are prohibited. It is distracting to the Commission, the audience, and persons testifying.

XII. CONFLICT OF INTEREST:

1. Any member of the Commission who in his or her opinion has an interest in any matter before the Commission that would tend to prejudice his or her actions shall publicly indicate, step down and leave the meeting room until the matter is disposed. A member need only be excused from legislative or organizational action if the potential conflict of interest is direct and substantial.
 - A. No member of the Planning Commission may use his or her position to secure special privileges or exemptions for himself, herself, or others.
 - B. No member of the Planning Commission may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
 - C. No member of the Planning Commission may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
 - D. No member of the Planning Commission may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.
 - E. No member of the Planning Commission may take any action that is prohibited by Chapter 42.23 RCW or any other statutes identifying conflicts of interest.
2. Appearance of Fairness:

Commission members shall strive to follow, in good faith, the Appearance of Fairness Doctrine as established under Washington State Law as it applies to quasi-judicial decisions (RCW 42.36) even for legislative actions before the Commission. The doctrine includes but is not limited to the following:

- A. Members shall avoid communicating in respect to any proposal with any interested parties, other than staff, outside of public

hearings. Written communication from an interested party to a member may be permitted provided that such communication is made part of the record.

- B. Members shall avoid drawing conclusions regarding decisions until after the public hearing is closed.
- C. Members shall avoid participating in decisions which affect their or any family member's property, personal or business interest, or organization.
- D. Members shall avoid participating in decisions in which a preconceived bias or conclusion has been formed in the mind of the member prior to the hearing.
- E. If any concern relating to Items A through D- should arise, the affected member shall declare at the start of the public hearing on the matter, the extent of such concern and whether the member's decision has been influenced. If the member has been influenced, or if the extent of the concern is significant, the member shall be excused by the Chair from the meeting room and his vote recorded as an abstention.

If, under these rules, a quorum would be excused from the meeting, the Chair in order to establish a quorum, shall under the rule of necessity, permit sufficient members (beginning with those who are least affected by these rules) to participate in the decision.

These rules are intended to be consistent with RCW 42.36. In the case of any conflict, RCW 42.36 or applicable case law shall govern.

XIII. AMENDMENT:

The Rules of Procedure may be amended at any regular meeting of the Commission by a majority vote of the entire membership. The proposed amendment should be presented in writing at a preceding regular meeting. By a two-thirds affirmative vote of the quorum present at a meeting, the Commission may suspend the rules as authorized by Robert's Rules of Order, except when such suspension would conflict with state law or city ordinance.